

**DECLARATION OF JOINT INVENTORS FOR PATENT APPLICATION**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "Methods of Fabricating Brachytherapy Implant Seeds, Methods of Fabricating Brachytherapy Implant Seed Cores, and Brachytherapy Implant Seeds", the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

**PRIOR FOREIGN APPLICATIONS:**

I hereby state that no applications for foreign patents or inventor's certificates have been filed prior to the date of execution of this declaration.

Direct all communications to , at WELLS ST. JOHN P.S., 601 West First Avenue, Suite 1300, Spokane, WA 99201-3828. Telephone: (509) 624-4276; (PTO Customer No. 021567).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or

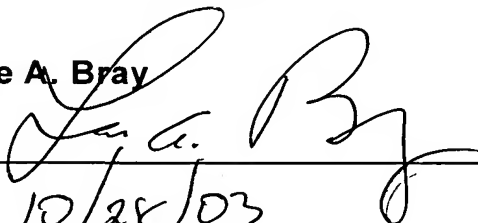
both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application or any patent issued therefrom.

\* \* \* \* \*

Full name of inventor:

**Lane A. Bray**

Inventor's Signature:

  
\_\_\_\_\_

Date:

10/28/03  
\_\_\_\_\_

Residence:

Richland, Washington

Citizenship:

United States of America

Post Office Address:

2463 Marine Court, Richland, WA 99352

\* \* \* \* \*

Full name of inventor: **David J. Swanberg**

Inventor's Signature:

*David J. Swanberg*

Date:

*October 21, 2003*

Residence:

Kennewick, Washington

Citizenship:

United States of America

Post Office Address:

200210 East 73<sup>rd</sup> Avenue, Kennewick, WA 99337

\* \* \* \* \*

Full name of inventor: **James L. Madsen**

Inventor's Signature:

*James L. Madsen*

Date:

*10/27/03*

Residence:

Richland, Washington

Citizenship:

United States of America

Post Office Address:

2230 Firerock, Richland, WA 99352

\* \* \* \* \*

Full name of inventor: **Jay Draper**

Inventor's Signature: \_\_\_\_\_

*Jay Draper*

Date: \_\_\_\_\_

*10-27-03*

Residence: Kennewick, Washington

Citizenship: United States of America

Post Office Address: 2102 South Rialto Court, Kennewick, WA 99338

\* \* \* \* \*

Full name of inventor: **Garr tt N. Brown**

Inventor's Signature: Garr tt N. Brown

Date: October 28, 2003

Residence: Krum, Texas

Citizenship: United States of America

Post Office Address: Gregg Road, Krum, TX 76249

\* \* \* \* \*

Full name of inventor: **Matth w J. Bal s**

Inventor's Signature:

Matthew Bals

Date:

10/30/2003

Residence:

Kennewick, Washington

Citizenship:

United States of America

Post Office Address:

102804 East Tripple Vista, Kennewick, WA 99337

\* \* \* \* \*

Full name of inventor: **Donald C. Lawrence, D c as d**

Signature:

Karen Thompson, Trustee of the Lawrence Family Trust  
Karen Thompson, Trustee of the Lawrence Family Trust  
and empowered by the Lawrence Family Trust  
Agreement and the Affidavit Under California Probate  
Code Section 13100 signed by Karen Thompson on  
February 13, 2001, and Certification/Abstract of the  
Lawrence Family Trust Agreement signed by Karen  
Thompson on April 23, 2001, empowering Karen  
Thompson to sign on behalf of Donald C. Lawrence

Date:

10-30-03

Residence:

San Jose, California

Citizenship:

United States of America

Post Office Address:

285 Dondero Way, San Jose, CA 95119



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

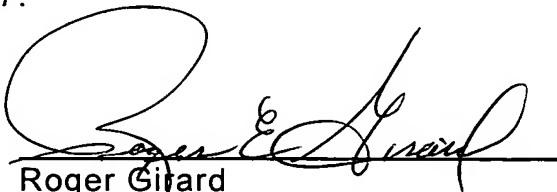
APPLICATION SERIAL NO. .... Unknown  
 FILING DATE ..... Filed Herewith  
 INVENTORSHIP ..... Lane A. Bray et al.  
 GROUP ART UNIT ..... Unknown  
 EXAMINER ..... Unknown  
 ATTORNEY'S DOCKET NO. .... BR65-001  
 TITLE:     Methods of Fabricating Brachytherapy Implant Seeds, Methods of  
               Fabricating Brachytherapy Implant Seed Cores, and Brachytherapy  
               Implant Seeds

**POWER OF ATTORNEY**

IsoRay, Inc., the Assignee of the above-identified patent application, hereby appoints the following attorneys and agents to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith: Mark S. Matkin, Reg. No. 32,268; Deepak Malhotra, Reg. No. 33,560; Mark W. Hendricksen, Reg. No. 32,356; David G. Latwesen, Reg. No. 38,533; George G. Grigel, Reg. No. 31,166; Keith D. Grzelak, Reg. No. 37,144; James D. Shaurette, Reg. No. 39,833; D. Brent Kenady, Reg. No. 40,045; James E. Lake, Reg. No. 44,854; Jennifer J. Taylor, Reg. No. 48,711; Robert C. Hyta, Reg. No. 46,791; and Satheesh K. Karra, Reg. No. 40,246.

Direct all communications to Mark S. Matkin, at WELLS ST. JOHN P.S., 601 West First Avenue, Suite 1300, Spokane, WA 99201-3828; Telephone No. (509) 624-4276; PTO Customer No. 021567.

Date: 10-31-03

By:   
 Name: Roger Girard  
 Title: CEO and President, IsoRay, Inc.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor ..... Lane A. Bray et al.  
 Attorney's Docket No. .... BR65-001  
 Title: Methods of Fabricating Brachytherapy Implant Seeds, Methods of Fabricating  
 Brachytherapy Implant Seed Cores, and Brachytherapy Implant Seeds

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: IsoRay, Inc.  
 ADDRESS OF CONCERN: 350 Hills Street, Suite 106, Richland, WA 99352

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled by inventor(s) described in .

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: Roger Girard, CEO and President, IsoRay, Inc.  
 ADDRESS: 350 hills Street, Suite 106, Richland, WA 99352

☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing:  
 Title of Person Other Than Owner:  
 Address of Person Signing:

Roger Girard  
 CEO and President, IsoRay, Inc.  
 350 Hills Street, Suite 106, Richland, WA 99352

Date: 10-31-03

Signature: 